

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Case No.: 2:24-cv-00391-JAD

Teresa Renita Burwell,

Appellant

v.

Signature Real Estate Group LLC, et al.,

Appellees

**Order Discharging Order to Show Cause
and Extending Appellant's Deadline to
Comply with Bankruptcy Rules**

Pro se appellant Teresa Renita Burwell appeals the result of an adversary bankruptcy proceeding decided in favor of appellees Signature Real Estate Group LLC and Southern Nevada Eviction Services.¹ The appeal was filed on February 22, 2024, and Federal Rule of Bankruptcy Procedure 8009(a) required Burwell to “file with the bankruptcy clerk and serve on the appellee a designation of the items to be included in the record on appeal and a statement of the issues to be presented” within 14 days after the appellant’s notice of appeal.² Burwell never filed those documents, so I ordered her to show cause why her appeal shouldn’t be dismissed for failure to prosecute.³

Burwell filed a response to the order to show cause, explaining that she tried to file some documents in this action in March 2024, but those filings were rejected and “she was told to file with the bankruptcy court.”⁴ Burwell was then hospitalized for several days and was “sick for

¹ ECF No. 1.

² Fed. R. Bank. P. 8009(a)(1) (cleaned up); *see also* ECF No. 41 in *Burwell v. Signature Real Estate Grp.*, 23-01129-mkn (Bankr. D. Nev.) (informing appellant of deadlines for designation of record on appeal and statement of issues).

³ ECF No. 7.

⁴ ECF No. 8.

1 several months.”⁵ She claims that her illness and the court’s rejection of her filing attempts are
2 “the reason why this case has been at a standstill.”⁶ Burwell asks that she be permitted to
3 continue this appeal.⁷ Appellee Signature Real Estate Group LLC also responded to the order to
4 show cause, noting that Burwell had never reached out to ask for continuances or extensions due
5 to her illness or to “request cooperative steps to develop the appellate record under the rules.”⁸

6 As explained in the order to show cause, Federal Rule of Bankruptcy Procedure 8009(a)
7 requires Burwell to file a designation of record, statement of issues, and requests for transcripts
8 in her bankruptcy-court action, not in this court. In the interest of justice, I sua sponte extend her
9 deadline to do so.⁹ I caution Burwell that she alone is responsible for moving this appeal
10 forward in the manner explained in the Federal Rules of Bankruptcy Procedure. I advise her to
11 familiarize herself with those rules, which are publicly available on the United States Courts’
12 website.¹⁰ **And if Burwell requires further extensions of time, she must either work with**
13 **counsel for appellees to secure a stipulation for that extension or file an appropriate motion**
14 **with this court.**¹¹

17 ⁵ *Id.* at 1–2.

18 ⁶ *Id.* at 2.

19 ⁷ *Id.*

20 ⁸ ECF No. 10 at 3–4.

21 ⁹ This extension does not foreclose any applicable untimeliness arguments that may be available
22 to appellees.

22 ¹⁰ See <https://www.uscourts.gov/rules-policies/current-rules-practice-procedure/federal-rules-bankruptcy-procedure> (last visited Dec. 2, 2024).

23 ¹¹ Burwell should also review this district’s local rules, available at
<https://www.nvd.uscourts.gov/court-information/rules-and-orders/>, for information regarding
motions and stipulations for extensions of time.

1 IT IS THEREFORE ORDERED that the court's order to show cause [ECF No. 7] is
2 **DISCHARGED**. Burwell has until **Friday, January 31, 2025**, to file the documents required
3 **under Federal Rule of Bankruptcy Procedure 8009 with the Clerk of the United States**
4 **Bankruptcy Court for the District of Nevada**. Burwell is further advised that she is
5 responsible for moving this appeal forward in accordance with those rules. **Further failures to**
6 **prosecute her case may result in this appeal being dismissed without prejudice without**
7 **prior notice.**

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U.S. District Judge Jennifer A. Dorsey
December 2, 2024
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